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Attorneys for PLUMTREE SOFTWARE, INC.
AND BEA SYSTEMS, INC.

Attorneys for DATAMIZE, L.L.C.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DATAMIZE, L.L.C., a Wyoming limited liability
corporation,

Plaintiff,

v.

PLUMTREE SOFTWARE, INC., a Delaware
corporation and BEA SYSTEMS, INC, a
Delaware corporation,

Defendants.

No. 04 2777 VRW

STIPULATION AND ~~[PROPOSED]~~ ORDER
TO DISMISS ACTION WITH PREJUDICE

1 Plaintiff Datamize, L.L.C. ("Datamize") and Defendants Plumtree Software, Inc. ("Plumtree")
2 and BEA Systems, Inc. ("BEA"), by and through their respective counsel, hereby stipulate that the
3 above-captioned action is hereby dismissed with prejudice in its entirety, pursuant to Federal Rule of
4 Civil Procedure 41(a)(1). It is further stipulated by Datamize, Plumtree and BEA that each of them
5 shall bear their own costs and attorneys' fees in connection with the above-captioned action.

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7 DATED: May 30, 2008.

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN, A Professional Corporation

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9 By: /s/ Jeffrey E. Faucette

JEFFREY E. FAUCETTE

10 Attorneys for Plaintiff DATAMIZE, L.L.C.

11 WILSON SONSINI GOODRICH & ROSATI
12 Professional Corporation

13 By: /s/ Michael B. Levin

MICHAEL B. LEVIN

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15 Attorneys for Defendants PLUMTREE SOFTWARE,
16 INC. and BEA SYSTEMS, INC.

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18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

19 DATED: June 10, 2008

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22 HONORABLE VAUGHN R. WALKER
23 UNITED STATES DISTRICT JUDGE
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ATTESTATION

I, Jeffrey E. Faucette, am the ECF User whose identification and password are being used to file this Joint Stipulation and [Proposed] Order to Stay Proceedings. In compliance with General Order 45.X.B, I hereby attest that Michael B. Levin has concurred in this filing.

DATED: May 30, 2008.

HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN, A Professional Corporation

By: /s/ Jeffrey E. Faucette
JEFFREY E. FAUCETTE

Attorneys for Plaintiff DATAMIZE, L.L.C.